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ART UNIT	PAPER NUMBER
3623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/815,927	KATZ ET AL.
	Examiner	Art Unit	
	Jonathan G. Sterrett	3623	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 March 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-43</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-43</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-23-2001</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Summary

1.   Claims 1-43 are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-43 are rejected under 35 U.S.C. 103(a) as being anticipated by Aspect

Development Component and Supplier Management (CSM) Software in view of

Gensym Corp.'s G2 Software.

Aspect's CSM software is described in the following documents:

Web.archive.org's webpage of October 1, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report - Aspect solutions for

design, procurement & operations", hereafter referred to as Reference A.

Web.archive.org's webpage of March 5, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report – Aspect CSM: the

only one-stop solution", hereafter referred to as Reference B.

Web.archive.org's webpage of March 5, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report – it's about reducing

product cost", hereafter referred to as Reference C.

Web.archive.org's webpage of October 31, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report – it's about enterprise

systems that deliver", hereafter referred to as Reference D.

Web.archive.org's webpage of October 1, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report – it's about slashing

the design cycle", hereafter referred to as Reference E.

Web.archive.org's webpage of June 7, 2000, describing Aspect

Development CSM software, "Aspect 1997 Annual Report – Ingersoll-Rand

paves the way for savings with CSM", hereafter referred to as Reference F.

Gensym's G2 software is described in the following documents:

Parker, Kevin, "Too much information?", Sep 1996, Manufacturing

Systems, v14n9, pp.16-18, hereafter referred to as Reference A.

BusinessWire, "Gensym introduces G2 WebMiner for accessing and

reasoning about data from the World Wide Web", May 1996, p5151048, hereafter

referred to as Reference B.

Fulcher, Jim, "A far-reaching impact", July 1996, Manufacturing Systems,

v14n7, pp.100-106, hereafter referred to as Reference C.

Kellman, Hal, "Gensym is the intelligent choice", Sep 1996, Upside, v8n9,

pp.101, hereafter referred to as Reference D.

Regarding Claim 1, Aspect teaches:

extracting via one or more software modules first information indicative of the

price and/or availability of the particular item from at least one source external to the

enterprise (Reference A page 4 paragraph 4 line 7-8, cost and availability attributes provided by decision support system), the external source offering for sell to the enterprise and/or other entities one or more items including the particular item (Reference A page 4 paragraph 4 line 10, MRO supplier);

extracting via one or more software modules second information from the enterprise regarding existing inventory of the particular item (Reference A page 5 paragraph 3 line 6-7, inventory analysis across enterprise), existing purchase arrangements between the enterprise and one or more suppliers (Reference A page 2 paragraph 4 line 4, preferred suppliers) and/or forecasted need for the particular item by the enterprise (Reference A page 5 paragraph 3 line 6-7, demand analysis across enterprise);

storing the first information and second information in a database (Reference B page 1 figure 1, information is stored in database);

analyzing via the first information and second information with one or more software modules (Reference B page 1 paragraph 2 line 5-6, users can perform analysis using the system to analyze suppliers and components).

Aspect does not teach:

generating a recommended action regarding the procurement or non-procurement of the particular item and/or the one or more substitute items; and displaying the recommended action regarding the procurement or non-procurement of the particular item and/or the one or more substitute items.

Gensym's G2 Software product does teach:

generating a recommended action regarding the procurement or non-procurement of the particular item and/or the one or more substitute items (Reference A page 2 paragraph 4 line 1-3, system can be used to make purchasing decisions by making use of raw material data published by suppliers and on internet; Reference B page 1 paragraph 2 line 6-7, G2 can use information to provide advice); and displaying the recommended action regarding the procurement or non-procurement of the particular item and/or the one or more substitute items (Reference A page 2 paragraph 6 line 7-8, G2 application generates html pages and serves pages to web browser users). G2 teaches that the increased complexity of operations requires more computer data to be analyzed in a timely manner and actions initiated to avoid adversely affecting product quality, increasing costs or delaying a product's time to market (Reference D page 1 paragraph 3 line 2-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Aspect, as discussed above, with generating a recommended action regarding procurement of an item and displaying the recommended action, as taught by G2, because it would automate the procurement process to avoid increasing costs, adversely affecting product quality and product time to market.

Regarding Claim 2, Aspect teaches displaying at least selected portions of the first information and/or second information to a user (Reference A page 4 paragraph 4 line 4, user-specific catalog views provided by software).

Regarding Claim 3, Aspect teaches wherein the first information and the second information are transformed prior to storage in the database (Reference B page 1

paragraph 1 line 5-6, all services provided necessary for data migration into database), wherein the first information and the second information are stored in a form wherein external information external to the enterprise and internal information internal to the enterprise are retrievable from the database in response to one or more queries to the database (Reference B page 2 figure 1, database shows incorporation of current ERP, PDM and CAD information into database including incorporating customer data; Reference B page 1 paragraph 2 line 5-6, users can search for data).

Regarding Claim 4, Aspect teaches the acquisition and storage of external procurement information and internal information including information from the enterprise regarding existing inventory of the particular item (Reference A page 5 paragraph 3 line 6-7, inventory analysis across enterprise), existing purchase arrangements between the enterprise and one or more suppliers (Reference A page 2 paragraph 4 line 4, preferred suppliers) and/or forecasted need for the particular item by the enterprise (Reference A page 5 paragraph 3 line 6-7, demand analysis across enterprise). Aspect teaches an intuitive graphical interface (Reference A page 4 paragraph 4 line 13) and dashboard buttons for execution of common searches and results (Reference A page 5 paragraph 5 line 3). Aspect teaches client interfaces comprising Microsoft Windows™ and a web-user configurable display (Reference B page 3 Figure 2 #a).

Aspect does not teach:

wherein the retrieved external and internal information are commonly displayed to a user, wherein the user may simultaneously observe, relative to the particular item,

external information from a plurality of sources external to the enterprise and internal

information from a plurality of sources internal to the enterprise.   Examiner takes

Official Notice that it is old and well known in the art that information displayed on a

Microsoft Windows™ and web-user configurable display can be configured so the user

may simultaneously observe, external information from a plurality of source external to

the enterprise, and internal information from a plurality of sources internal to the

enterprise. Procurement personnel would want to immediately know, for example, the

status of commodity pricing information (external information) and the production rate

and inventory of a particular item (internal information) so that they can make timely

procurement decisions regarding supporting operations. It would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the collective

teachings of Aspect and G2, as discussed above, with displaying retrieved external and

internal information so the user may simultaneously observe, relative to a particular

item, information from a plurality of sources both external and internal to the enterprise,

because it would provide the user with the ability to make timely procurement decisions

in support of operations.

Regarding Claim 5, Aspect teaches wherein the retrieved external and internal

information are selectively displayed in a form determined in response to one or more

commands to the computing system (Reference A page 5 paragraph 5 line 3,

dashboard buttons for execution of common searches and results).

Regarding Claim 6, Aspect teaches wherein the retrieved external and internal

information are displayable in a plurality of forms (Reference B page 1 paragraph 3 line

6, forms for process automation; Reference B page 3 Figure 2-a, interface is user configurable MS Windows™).

Regarding Claim 7, Aspect teaches wherein the retrieved external and internal information are displayed in a first form for review by a user responsible for making procurement decisions in the enterprise, wherein the retrieved external and internal information is displayed in a second form by a user responsible for making product design decisions in the enterprise (Reference A page 5 paragraph 2 line 4-5, commodity managers review supplier initiated updates and update smart catalog for user across the enterprise, including those in product design).

Regarding Claim 8, Aspect teaches wherein a user responsible for making procurement decisions in the enterprise and a user responsible for making product design decisions in the enterprise access the retrieved external and internal information (Reference B page 1 paragraph 3 line 5-7 users can search optimal components, suppliers and reusable designs; Reference A page 2 paragraph 2 line 2-3, engineers can quickly find and reuse existing designs).

Regarding Claim 9, Aspect teaches wherein the user responsible for making procurement decisions in the enterprise and the user responsible for making product design decisions in the enterprise collaborate with respect to whether the particular item is included in the design of a product that is in the process of being designed by the enterprise (Reference E page 1 paragraph 2 line 3-4, designers can easily select preferred components from preferred suppliers to take advantage of corporate

purchasing agreements; Reference F page 1 paragraph 4 line 1-2, Aspect used to integrate engineering and procurement).

Regarding Claim 10, Aspect teaches wherein one or more software modules generate information indicative of an estimated manufacturing cost of the product (Reference C page 2 paragraph line 4-5, system allows designers to determine cost of product in order to 'design for supply').

Regarding Claim 11, Aspect teaches providing links to current and legacy ERP systems (Reference B page 1 paragraph 1 line 4-5, interfaces to ERP systems provided across enterprise – it is inherent that ERP systems contain both product costing based on components used and product pricing information). Aspect teaches maintaining an enterprise-wide repository of component information (Reference C page 1 paragraph 3 line 1-2). Aspect does not teach wherein one or more software modules generate information indicative of an estimated profit from sales of the product. Examiner takes Official Notice that it is old and well known in the art for ERP systems to contain information regarding demand, product costing and pricing information and for this information to be used to generate information indicative of an estimated product profit. The information contained in ERP systems allows product margins to be calculated from product pricing and costing on a pro-forma basis. ERP systems provide this information so that management can be better informed about profitability on a product line basis based on estimates related to product demand. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Aspect and G2, as discussed above, with generating information indicative

of an estimated profit from sales of the product, because it would provide management

with a better basis for making decisions about product line management based on

information contained in ERP systems.

Regarding Claim 12, Aspect teaches wherein the user responsible for making

procurement decisions in the enterprise and the user responsible for making product

design decisions in the enterprise collaborate with respect to whether the particular item

should be substituted with an alternative item (Reference E page 2 paragraph 1 line 6-7,

VIP catalog provides designers with ability to find substitute components; Reference E

page 2 paragraph 2 line 3-4, parts list shared between engineering and procurement).

Regarding Claim 13, Aspect teaches wherein one or more software modules

generate information indicative of estimated manufacturing costs of the product based

on whether the particular item or the alternative item is included in the design of the

product (Reference E page 2 paragraph 1 line 6-7, VIP catalog provides designers with

ability to find substitute components or perform 'what if' analysis on components;

Reference E page 2 paragraph 2 line 2-4, shared parts list provides cost information to

designers) .

Regarding Claim 14, Aspect teaches providing links to current and legacy ERP

systems (Reference B page 1 paragraph 1 line 4-5, interfaces to ERP systems provided

across enterprise – it is inherent that ERP systems contain both product costing based

on components used and product pricing information). Aspect teaches maintaining an

enterprise-wide repository of component information (Reference C page 1 paragraph 3

line 1-2). Aspect does not teach wherein one or more software modules generate

information indicative of an estimated profit from sales of the product based on whether

the particular item or the alternative item is included in the design of the product. The

Examiner takes Official Notice that it is old and well known in the art to provide

information indicative of an estimated profit by subtracting product cost from product

price. Information contained in ERP systems supports this type of analysis to look at

profitability by product line and to make informed decisions by management on where,

for example, cost-savings initiatives need to be focused or where component costing is

too high. It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the collective teachings of Aspect and G2, as discussed above, with

generating information indicative of an estimated profit based on whether a particular or

alternative item is included in the design of the product because it would provide

management with information as to the impact of component cost on product profit.

Regarding Claim 15, Aspect teaches wherein the user responsible for making

procurement decisions in the enterprise and the user responsible for making product

design decisions in the enterprise access the retrieved external and internal information

using a common computing system and set of software modules (Reference B page 1

paragraph 1 line 1-5, Aspect's CSM solution integrates three sets of products all of

which are essential for a comprehensive solution).

Regarding Claim 16, Aspect teaches wherein the computing system comprises a

plurality of computers interconnected via a network (Reference B page 3 paragraph 1

line 1-2, software products for enterprise integration; Reference B figure 2, Client to

Server API).

Regarding Claim 17, Aspect teaches wherein a plurality of software modules are

provided on the computing system, wherein a first set of software modules are selected

for the user responsible for making procurement decisions in the enterprise, and a

second set of software modules are selected for the user responsible for making

product design decisions in the enterprise (Reference A page 1 paragraphs 1 and 2,

CSM Catalog Management and Preferred Component and Supplier Management are

modules for making procurement decisions, Reference A page 2 paragraph 2, Strategic

Design Management is for making product design decisions).

Regarding Claim 18, Aspect does not teach wherein the first set and second set

contain common software modules. Examiner takes Official Notice that it is old and well

known in the art of software design for the first set and second set to contain common

software modules. Common software modules are used, for example, in the creation of

shared user interface libraries to simplify the programming associated with different

software modules and reduce the cost of programming. Therefore, it would have been

obvious to one of ordinary skill in the art at the time of the invention to modify the

collective teachings of Aspect and G2, as discussed above, with the first set and second

set containing common software modules, because it would simplify the creation of the

software and reduce cost associated with programming.

Regarding Claim 19, Aspect teaches wherein the first set of software modules

provide a first set of analysis tools particular to the user responsible for making

procurement decisions in the enterprise (Reference A page 4 paragraph 4 line 12,

comprehensive analysis and reporting capability), wherein the second set of software

modules provide a second set of analysis tools particular to user responsible for making

product design decisions in the enterprise (Reference A page 2 paragraph 2 line 3,

users can analyze and optimize advance parts lists).

Regarding Claim 20, Aspect teaches wherein the user observes information

indicative of estimated demand within the enterprise for the particular item (Reference A

page 5 paragraph 3 line 6-7, demand information for a particular item is available),

information indicative of terms of supply contracts that the enterprise has in effect for

supply of the particular item (Reference A page 5 paragraph 3 line 1, management of

local suppliers and regional/site specific pricing information is available; Reference A

page 1 paragraph 2 line 2, approved vendor process management is performed by

software), and information indicative of price and/or availability terms by which the

enterprise may procure the particular item from one or more external sources

(Reference A page 4 paragraph 4 line 7, cost and availability attributes can be searched

and displayed). Aspect does not teach wherein the user observes this information

simultaneously. Examine takes Official Notice that estimated demand within the

enterprise for a particular item, information indicative of terms of supply contracts and

information indicative of price and/or availability are information that is old and well

known in the art of procurement and supply chain management that are necessary to

perform a procurement function. Demand is necessary for the function of procurement

planning due to lead times associated with a procured item and the need to procure

long lead time items in advance to support operations. Terms of supply contracts and

information with respect to price and availability are necessary for a procurement

person to obtain an item at a competitive price and in quantities necessary to support

operations and to ensure that contractual obligations are met for those suppliers

providing that item. Therefore, it would have been obvious to one of ordinary skill in the

art at the time of the invention to modify the collective teachings of Aspect and G2, as

discussed above, with the user simultaneously observing information indicative of

estimated demand for an item, information indicative of terms of supply contracts in

effect for the supply of the particular item, and information indicative of price and

availability of a particular item, with observing the above mentioned items

simultaneously, because it would improve the efficiency in which an individual could

function in a procurement position within an enterprise by providing immediate visual

access to information relevant to the function of their position.

Regarding Claim 21, Aspect teaches wherein the enterprise comprises an

enterprise having a plurality of business units (Reference C page 1 paragraph 2 line 1-

2, strategic source management solution provides information on spending on

components across multiple business units), wherein the retrieved internal information

includes information indicative of estimated demand within one or more of the business

units of the enterprise for the particular item (Reference A page 5 paragraph 3 line 6-7,

demand information for a particular item is available) and information indicative of terms

of supply contracts that the one or more business units of the enterprise have in effect

for supply of the particular item (Reference A page 5 paragraph 3 line 1, management

of local suppliers and regional/site specific pricing information is available; Reference A

page 1 paragraph 2 line 2, approved vendor process management is performed by software).

Regarding Claim 22, Aspect teaches wherein a user makes a procurement decision (Reference B page 1 paragraph 3 line 2, decision support and analysis tools) of the particular item for the enterprise with respect to a first business unit of the enterprise (Reference B page 1 paragraph 1 line 3, enterprise wide client/server products; Reference B page 2 Figure 1, system operates enterprise-wide; Reference D page 1 paragraph 1 line 1, enterprise-wide repository of all information regarding procurement) based on retrieved internal information that is indicative of estimated demand within a second business unit of the enterprise for the particular item (Reference B page 1 paragraph 2 line 5-6, users can search information regarding components; Reference B page 1 paragraph 3 line 9, server integration with ERP systems – it is inherent that ERP systems contain information indicative of estimated demand) and/or information indicative of terms of supply contracts that the second business unit of the enterprise has in effect for supply of the particular item (Reference D page 1 paragraph 4 line 1-2, system maintains repository of all business information about suppliers; Reference A page 2 paragraph 4 line 4, system consolidates purchasing with preferred suppliers).

Regarding Claim 23, Aspect does not teach wherein the recommendation includes a time parameter, wherein the purchase or non-purchase recommendation is provided for a particular time or time period. The Examiner takes Official Notice that making purchase or non-purchase recommendations provided for a particular time or

time period is old and well known in the art of procurement. Since the prices and

availability of purchase commodities change over time, on a spot market for those

items, for example, it is necessary to determine whether a purchase or non-purchase

recommendation should be made over a given time period. Making purchase

recommendations or non-purchase recommendations for a particular time would ensure

that an optimal recommendation would be made as it would take into account the most

recent information available to make the decision. It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the collective teachings of

Aspect and G2, as discussed above, with making a purchase recommendation or non

recommendation provided for a particular time or time period, because it would use the

most recent information and result in making an optimal recommendation for purchase

or non-purchase.

Regarding Claim 24, Aspect teaches wherein external information external to the

enterprise and internal information internal to the enterprise are retrievable from the

database in response to one or more common queries to the database (Reference A

page 1 paragraph 1 line 2, search database by form-fit-function parameters with search

engine; Reference B page 2 figure 1, database containing first and second information).

Aspect does not teach wherein the first information and the second information are

extracted in a plurality of forms, wherein for each type and form of first information and

second information, the first information and second information are transformed to one

or more common information forms prior to storage in the database. The Examiner

takes Official Notice that it is old and well known in the art for information to be

extracted in a plurality of forms requiring transformation or reformatting. This is a

common practice in extracting data that is to be entered into a database. Examples of

this technique include EDI which has means to perform transformation prior to database

entry. Another example, is the use of XML style sheets. These techniques automate

the entry of data into a database to make it easier and more efficient to enter

information that has been gathered. Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the collective teaches of G2

and Aspect, as taught above, with extracting information in a plurality of forms where

the information is transformed prior to entry into a database, because this would

automate and make more efficient the gathering and transformation of information into a

database where it could be retrieved in response to a query.

Regarding Claim 25, Aspect teaches extracting first information and second

information, as discussed in Claim 1, and wherein external information and internal

information extracted are stored in the database and are retrievable from the database

in response to one or more common queries to the database, as discussed in Claim 24.

Aspect does not teach wherein the steps of extracting first information and second

information are carried out at a plurality of times, wherein external information and

internal information extracted at different points in time are stored in the database and

are retrievable from the database in response to one or more common queries to the

database. The Examiner takes Official Notice that it is old and well known in the art of

procurement to frequently update information required a plurality of times to make

accurate and timely decisions. This is required because external market conditions

regarding price and availability of components change over time and internal

information regarding production schedules, production yields and forecasted demand

also change over time. These changes require systems supporting procurement to

update internal and external information a plurality of times to ensure timeliness and

accuracy in the information. It would have been obvious to one of ordinary skill in the

art at the time of the invention to modify the collective teachings of G2 and Aspect, as

discussed above, with extracting external and internal information a plurality of times,

because it would ensure accurate and timely information in the database to support

procurement decisions.

Regarding Claim 26, Aspect does not teach receiving news information via one

or more software modules, wherein the news information relates to the particular item or

the one or more substitute items; extracting via one or more software modules third

information regarding the price and/or availability of the particular item; and displaying

an updated recommended decision regarding the procurement or non-procurement of

the particular item and/or one or more substitute items.

G2 teaches receiving news information via one or more software modules,

wherein the news information relates to the particular item or the one or more substitute

items (Reference B page 1 paragraph 5 line 1-4, news information received by software

from website); extracting via one or more software modules third information regarding

the price and/or availability of the particular item (Reference A page 2 paragraph 4 line

1-3, raw material data accessed from suppliers on internet); and displaying an updated

recommended decision regarding the procurement or non-procurement of the particular

item and/or one or more substitute items (Reference A page 2 paragraph 6 line 3-4, G2

makes recommendation based on news affecting production process; Reference A

page 2 paragraph 6 line 7, G2 application generates html pages based on

recommendation). G2 uses its intelligence to make recommendations to users based

on any source available on Internet. The information extracted from the internet is used

to make recommendations useful to the operation of a business (Reference C page 8

paragraph 5 line 6-7). G2 teaches that it is necessary, given the large amounts of data

available on networks, both internal and external, to analyze this data to ensure timely

action to avoid having adverse implications for product cost, quality or time to market

(Reference D page 1 paragraph 3 line 2-5). Therefore, it would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the collective

teachings of Aspect and G2, as discussed above, with receiving news information via

one or more software modules, wherein the news information relates to the particular

item or the one or more substitute items; extracting via one or more software modules

third information regarding the price and/or availability of the particular item; and

displaying an updated recommended decision regarding the procurement or non-

procurement of the particular item and/or one or more substitute items, because it would

provide a timely recommendation to avoid having adverse implications for product cost,

quality or time to market.

Regarding Claims 27-30, Aspect does not teach wherein the updated

recommendation is displayed without prompting by the user, as per Claim 27; wherein

the user selected via software whether the updated recommendation would be

displayed or not displayed without user intervention, as per Claim 28; wherein the

updated recommendation is provided in an alert window, wherein the alert window

alerts the user visually of the updated recommendation, as per Claim 29; and wherein

the updated recommendation is accompanied by an audible alert. The Examiner takes

Official Notice that it is old and well known in the art to display recommendations without

promptings by the user, as per Claim 27; for the user to select via software whether the

updated recommendation would be displayed or not displayed without user intervention;

as per Claim 28; using alert windows to display an updated recommendation, as per

Claim 29; and using audible alerts to accompany the updated recommendation, as per

Claim 30. It is old and well known in the art for notifications and displayed

recommendations to arrive via a number of means; for example, by email, pager or fax.

It is old and well known in the art for these notifications and recommendations to be

displayed or not displayed by the user selecting preferences in the software. It is old

and well known in the art for notifications and recommendations to arrive via an alert

window (e.g. 'pop-up window') and for this alert window to be accompanied by an

audible alert (e.g. 'beep'). It would have been obvious to one of ordinary skill in the art

at the time of the invention to modify the collective teachings of Aspect and G2, as

discussed above, with displaying an updated recommendation without prompting by the

user, as per Claim 27, for the user to select via software whether the recommendation

would be displayed or not displayed, as per Claim 28, providing the updated

recommendation in an alert window, as per Claim 29, and providing an audible alert

with the updated recommendation, as per Claim 30, because these provide effective

means to alert the user of a notification or recommendation that requires immediate attention.

Claim 31 recites limitations already addressed by the rejection of Claim 1, except for additional information being extracted and displayed. The Examiner takes Official Notice that it is old and well known in the art of procurement to obtain additional information from internal and external sources. This additional information can relate to changes in pricing over time, clarification from vendors about pricing, terms or delivery lead time; it can relate to changes in the production schedule and yields affecting demand, costing or production lead time affecting product availability and pricing. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Aspect and G2, as discussed above, with additional information being extracted and displayed, because it would reflect normal changes that occur in external and internal procurement information so that effective and timely decisions can be made regarding procurement activities.

Claims 32-35 recite limitations already addressed by the rejection of Claims 27-30 above, therefore the same rejection applies.

Regarding Claim 36, Aspect does not teach wherein a software agent monitors changes in the first and/or second, wherein in response to changes in the first and/or second information, an updated recommendation is generated and displayed. G2 teaches wherein a software agent monitors changes in the first and/or second (Reference C page 8 paragraph 5 line 4-7, data can be accessed from anywhere on the internet; Reference A page 2 paragraph 3 line 6-8, G2 automatically pulls information

from internet and feeds it to 'intelligence' the software brings to bear on production

problems), wherein in response to changes in the first and/or second information, an

updated recommendation is generated and displayed (Reference A page 2 paragraph 6

line 3-4, software makes recommendations about specific actions to take; Reference A

page 2 paragraph 6 line 7-8, software generates webpages displaying

recommendation). G2 teaches that it can pull information from networks and systems

and that analyzing the large amounts of data quickly it accesses is necessary to support

decisions that need to be made to avoid adversely affecting product quality, cost or time

to market (Reference D page 1 paragraph 3 line 2-5). It would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the collective

teachings of Aspect and G2, as discussed above, with wherein a software agent

monitors changes in the first and/or second information, wherein in response to

changes in the first and/or second information, an updated recommendation is

generated and displayed, as taught by G2, because it would provide support for timely

decisions necessary to avoid adversely affecting product cost, quality or time to market.

Claims 37-40 recite limitations already addressed by the rejection of Claims 27-

30 above, therefore the same rejection applies.

Regarding Claim 41, Aspect teaches, in response to one or more queries to the

database, external information and internal information are retrieved from the database,

wherein the retrieved external and internal information are analyzed via one or more

software modules (Reference B page 1 paragraph 3 line 2, decision support and

analysis tools provided by software; Reference B page 1 paragraph 2 line 5-7, users can search and analyze information).

Claim 42 recites limitations already addressed by the rejection of Claim 11 above, therefore the same rejection applies.

Regarding Claim 43, Aspect teaches using forms and workflows for process automation (Reference B page 1 paragraph 3 line 6), and user-specific views (Reference A page 4 paragraph 4 line 4). Aspect teaches displaying at least selected portions of the first information and/or second information to a user (Reference B page 1 paragraph 3 line 3, parametric search engine displays selected portions of first and second information). Aspect teaches an intuitive 'walk-up' graphical user interface (Reference A page 4 paragraph 4 line 13). Aspect does not teach a customizable user interface. The Examiner takes Official Notice that it is old and well known in the art to have a customizable user interface when a user is using a software program. This allows the user to customize the interface to suit the needs and requirements of their particular job function and to make accessing standard types of information more efficient. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of G2 and Aspect, as discussed above, with providing a customizable user interface, because it would provide the user with a more efficient way to access standard information required for the function of their position.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4,799,156 by Shavit discloses an interactive market management system.

US 5,712,989 by Johnson discloses a just-in-time requisition and inventory management system.

US 6,363,359 by Gronemeyer discloses a system for inventory determination for facilitating commercial transactions.

US 6,282,656 by Wang discloses a method for electronic transaction systems.

US 6,029,150 by Kravitz discloses payment and transactions in electronic commerce system.

Web.archive.org webpage of June 20, 2000 detailing FAQ's from SupplierMarket.com "SupplierMarket.com – About the Marketplace – Buyer".

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 703-305-0550. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Business Center (EBC) at 866-217-9197 (toll-free).

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